



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/687,819

10/20/2003

Yasushi Shikata

03560.003386

2635

5514 7590 10/31/2007
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

THOMAS, JASON M

ART UNIT

PAPER NUMBER

4126

MAIL DATE

DELIVERY MODE

10/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,819

Applicant(s)

SHIKATA ET AL.

Examiner

Jason Thomas

Art Unit

4126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Remillard (U.S. Patent No. 5,504,519).

Regarding claim 1, Remillard discloses a signal processing apparatus comprising: a receiving circuit for receiving data that is transmitted from a sender such that the data can be simultaneously received by a plurality of receivers (see [figure 2] where apparatus comprises circuits enabling it to receive through antenna, cable, or a communication medium; see also [column 4 line 66 through column 5 line 14] for the inclusion of television/cable services which can be simultaneously received); and a processing circuit for outputting, to a printer, print data in accordance with both of the data received by the receiving circuit and user information of a user of the signal processing apparatus (see [figure 2] where apparatus has an output for a printer; see also [column 3 lines 59-65] where apparatus is capable of printing data dependant upon user information, user selections or other information containing user selection criteria; see also

facility selections and also received data from those user selected facilities, such as purchase information from home shopping which is used to print chits or coupons, tickets, and the like).

Regarding claim 2, Remillard discloses all of the limitations of claim 1 including wherein the processing circuit includes a least a circuit for generating the print data to be output to the printer by extracting, on the basis of user information, a part of the received data transmitted so as to be simultaneously receivable by the plurality of receivers (see [column 2 lines 56-65] where user profile is monitored and uploaded to an appropriate facility; [column 3 line 59-65] where based on uploaded profile information, a remote "interactor" facility is able to extract from a plurality of printable matter, such as tickets, chits, and the like, a select group of coupons determined to be appropriate depending upon the user profile or other selection criteria; also see [column 5 lines 55-60]).

Regarding claim 3, Remillard discloses all of the limitations of claim 2 including wherein the data transmitted so as to be simultaneously receivable by the plurality of receivers includes data selectable as data to be used in the print data (see [column 3 lines 59-61] and [column 5 lines 34-39] for printing a hardcopy of the information displayed on the television; see also [column 8 lines 1-11] where apparatus is capable of telestration, editing the telestration, and as prior disclosed, printing what is on the display) and also includes data for use in sequentially generating stimuli perceptible by user via a perception device (see

[column 2 lines 15-29] where apparatus includes the ability to receive and display broadcasted data, such as video, through cable programming).

Regarding claim 4, Remillard discloses all of the limitations of claim 1 including wherein the processing circuit includes at least a circuit for outputting, to the outside of the signal processing apparatus, a signal for requesting the print data of data from which the print data is obtainable (see [figure 2] for printer terminal), in accordance with data transmitted so as to be simultaneously receivable by the plurality of receivers and in accordance with information associated with a user of the signal processing apparatus (see [column 6 lines 16-30] where the user, along with any other user, can request information regarding a product; see also [column 5 lines 34-39] and [column 5 lines 50-52] where the apparatus can capture and print any image from the television screen).

Regarding claim 5, Remillard discloses all of the limitations of claim 1 including wherein the user information includes at least information indicating a behavior history of the user (see [column 2 lines 14-19]; [column 2 lines 58-65] for behavior history of the user).

Regarding claim 6, Remillard discloses all of the limitations of claim 5 including wherein a signal processing apparatus is further capable of indicating times at or for which the user perceived the stimuli generated on the basis of the data (see [column 2 lines 58-65] where time/date stamps are used to monitor programs the user watches).

Regarding claim 7, Remillard discloses all of the limitations of claim 1 including wherein the user information includes at least information indicating a property of the user (see [column 2 lines 14-19], [column 2 lines 58-65] for behavior history as a property of the user; see [column 4 lines 35-37] where a user property can include credit card information).

Regarding claim 8, Remillard discloses all of the limitation of claim 1 including wherein the user information includes at least identification information for identifying the signal processing apparatus (see [column 6 lines 23-24] where the information includes the electronic device's ID).

Regarding claim 9, Remillard discloses all of the limitations of claim 1 including wherein the user information is acquired on the basis of data received by the receiving circuit (see [column 6 lines 5-30] where a host computer or appropriate facility periodically receives uploaded user information and on the basis of the apparatus receiving user attributes triggers the display of special menus or informational graphics when a selected show matches a predefined criteria; see also [column 7 lines 53-55] and [column 3 lines 23-44] where user information unique to the user are received from another user's device through a receiving circuit; see also [column 8 lines 1-11], [column 5 lines 30-39] and [column 3 lines 23-26] where user information can be acquired via exchanging (sending and receiving) information between two users or the host computer where data can then be received by a receiving circuit from a particular user

Art Unit: 4126

which contains inherently unique user identification information to facility delivery or can be received from the host computer using such delivery identification information; also see [column 6 lines 54-57] where user information is acquired by receiving circuit).

Regarding claim 10, Remillard discloses all of the limitations of claim 1 including wherein the data transmitted so as to be simultaneously receivable by the plurality of receivers includes at least data for use in sequentially generating stimuli perceptible by a user via the perception apparatus (see [column 2 lines 14-17] where apparatus provides user the ability to interact with television or cable programming; see also [column 2 lines 56-58] where apparatus has built in TV tuner for watching video; see also [column 8 lines 1-11] where apparatus has ability to receive television broadcast).

Regarding claim 11, Remillard discloses all of the limitation of claim 1 including a printer for performing printing in accordance with the print data output from the processing unit (see [figure 1] for printer connected to apparatus; see also [column 3 lines 59-61] where a printer is connected to the apparatus; see also [column 5 lines 50-60] where apparatus has printer interface).

2. Claims 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Von Kohorn (U.S. Patent No. 5,249,044).

Art Unit: 4126

by a printer and second data specifying signal processing to be performed on the first data to produce the print data depending on information associated with a user of a particular signal processing apparatus, in such a manner that the first data and the second data can be simultaneously received by a plurality of signal processing apparatuses (see [column 1 lines 38-68] for a primary signal being transmitted containing product information signals which contain product specific data to be printed; see also [figure 4B,5], [column 4 lines 8-13], [column 4 lines 30-46] for information associated with a user of a particular signal processing apparatus being entered and stored to be transmitted at a later date; see also [column 4 lines 52-57] where the data containing the product information to print the coupon and the user information are combined to form the combined data, a coupon, which is processed together and printed).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Thomas whose telephone number is (571) 270-5080. The examiner can normally be reached on Mon. - Thurs., 8:00a.m. - 5:00p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4126

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

J. Thomas



DENNIS DOON CHOW
SUPERVISORY PATENT EXAMINER